

**Applicants: Gregory B. Tackett**  
**Serial No.: 10/021,701**  
**Filing Date: December 7, 2001**  
**Attorney Docket No.: AMPC 5017**

**Art Unit: 2671**  
**Confirmation No.: 2433**  
**Examiner: Almis R. Jankus**

### Remarks

The application as originally submitted and as previously amended contained nine claims. The Examiner's objection to claims 5 and 8 under 37 CFR 1.75(c) as being in improper form has been addressed by the claims amendment previously submitted.

The Examiner's rejection of claims 1-4, 6, 7 and 9 on the basis of 35 U.S.C. 102(b) and the referenced article by Cheney et al in the first Office Action where addressed in the previous amendment's remarks. Those prior remarks remain applicable to a 102(b) rejection on the basis of Cheney, but will be further clarified below in light of the telephonic discussion, clarification of terminology, and the claims amendments.

The application as currently amended contains nine claims.

It appeared from the Office Action of August 15, 2005, that the intent of the claims had not been conveyed to the Examiner by the language chosen to express that intent. A telephonic interview was held with the Examiner on November 9, 2005. The exchange between the Examiner and the inventor was most helpful in identifying the terminology and concepts which were creating this failure to communicate. The vague term "area" has been

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replaced with a more specific reference to "environment" and "components." While the term "features" was used in the telephonic discussion to clarify intent and meaning, that term has been defined within the specifications as subset of the broader term "component." Therefore, the term "components" has been kept to avoid an extensive rewrite of the specification.

The following clarifications were discussed:

1) The term "lapse" was used to convey the concept of ceasing to be instantiated. (See line 8 on page 5 and; line 18 on page 11.) The idea is to cease to maintain (and thus terminate) the unneeded instantiated environment and components such that the system need not expend any resources to retain any memory of that component or environment. The term "terminate" has been substituted in the claims to help clarify this point. The specification has been amended to include this synonym.

2) Specific environments and components may be reinstantiated such that they are identical to a prior instantiation of that environment and components. A specific means for this step was not included within the claims as there is no intent to limit the claims to any specific method of accomplishing this step. In the telephonic discussion, the inventor described one such method as using the unique position of the components within a unique environment where the environment is based on some random

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number seed. Then only the initial random number seed need be retained by the system in order to instantiate the identical environment and the system will be able to instantiate identical components based upon their unique position within that environment. This approach of using "initial conditions" is discussed in the Specification paragraph which begins on line 6 of page 5.

3) The Pseudo-random concept is used to capture the unique aspect of using rule sets (and available files) to determine on an as-needed basis the nature of the instantiated environment and components. Prior art makes this determination upfront and may or may not employ such rule sets. It is the combination of the as-needed aspect and the use of the rule sets which creates a unique solution to prior art problems. The term "pseudo-random" appears to invoke concepts which are at odds with its use and definition within this application. To avoid this confusion, the term has been deleted from the claims and replaced with a reference to the use of rule sets.

4) "Nested fidelity" is a concept that goes far beyond the current state of the art which is limited to determining the level of detail (LOD) that should be used when rendering environments and components. This concept of LOD is well established in the prior art. This new concept of nested fidelity would have limited practicability on its own. The unending levels of details that could be given to any object upon closer and closer examination, cannot be practically established upfront. This concept of nested fidelity must be combined with the above as-needed step to become practical and with the

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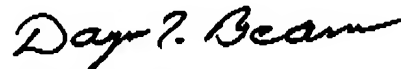
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rule set step to achieve its greatest potential. The specification give examples of just how this all works together.

Respectfully, it is requested that the Examiner review the amended claims and our position that a 102(b) rejection based upon Cheney should be reconsidered in light of the clarifications, amendments, and remarks above.

The undersigned may be contacted at telephone number (256) 876-8195 regarding future prosecution of this application.

Respectfully,



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